

MINUTES

CIVIL SERVICE COMMISSION MEETING

Wednesday, July 25, 2012 at 9:30 a.m.

522 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

9:30 A.M. CLOSED SESSION

- Consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of public employees pursuant to Government Code Section 54957, for the positions listed below.
- Consideration of the Executive Director's performance evaluation pursuant to Government Code Section 54957.

CONVENED THE MEETING AT 9:31 A.M. AND WENT INTO CLOSED SESSION AT 9:32 A.M.

10:00 A.M. AGENDA

RECONVENED THE MEETING AT 10:02 A.M.

COMMISSIONERS PRESENT: ADKINS, FELTON, FOX, KAHWAJIAN, MARTINEZ

Minutes of the meeting of Wednesday, July 18, 2012, for approval
APPROVED.

Consideration of Consent Calendar
APPROVED.

Unfinished Business

1. *Petition of **RICHARD HAUSER** for a hearing on his **discharge**, effective August 10, 2010, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 10-381.***

ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, PHILIP LEVINE, TO NOT SUSTAIN THE DEPARTMENT.

Unfinished Business (continued)

2. *Petition of **RODERICK WELLS** for a hearing on his **discharge**, effective November 16, 2011, from the position of Administrative Services Manager II, Fire Department, **Case No. 11-364**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, CHARLES POST, TO REDUCE THE DISCHARGE TO A THIRTY (30) DAY SUSPENSION.

3. *Petition of **AMELIA CANTILLO** for a hearing on her fifteen (15) day **suspension**, effective April 11, 2011, from the position of Senior Secretary III, Department of Mental Health, and petition of **CINDY BLY-GRIFFITH** for a hearing on her fifteen (15) day **suspension**, effective April 11, 2011, from the position of Fiscal Officer I, Department of Mental Health, **Case No. 11-157**.*
CONTINUED AT THE REQUEST OF JESSE SMITH, LOCAL 721, IN ORDER FOR HIM TO BE PRESENT.

4. *Petition of **CHRISTOPHER GROGAN** for a hearing on his **discharge**, effective December 30, 2011, from the position of Custodian, Department of Health Services, LAC+USC Medical Center, **Case No. 12-013**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION. HEARING CANCELLED.

5. *Petition of **VISNA M. KIENG** for a hearing on the Director of Personnel's denial of his appeal of the **Appraisal of Promotability score** received in the examination for Information Technology Technical Support Supervisor, **Case No. 12-121**.*
HEARING DENIED. (NO ONE APPEARED FOR THE PETITIONER.)

New Business

6. *Petition of **REGINA C. CAIN** for a hearing on her **suspension** not to exceed thirty (30) days pending investigation, effective May 5, 2012, from the position of Nursing Attendant II, Department of Health Services, Harbor-UCLA Medical Center, **Case No. 12-167.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

7. *Petition of **JAMES R. BOZAJIAN** for a hearing on the Director of Personnel's denial of his appeal of the **Appraisal of Promotability score** received in the examination for Deputy District Attorney IV, based on his claim of a Civil Service Rule 25 violation, **Case No. 12-152.***
CONTINUED AT THE REQUEST OF THE PETITIONER IN ORDER FOR HIM TO BE PRESENT.

8. *Petition of **MARGIE A. CHIDLEY** for a hearing on the Director of Personnel's denial of her appeal of the **interview score** received in the examination for Senior Emergency Medical Systems Program Head, **Case No. 12-149.***
DENIED AS UNTIMELY.

9. *Petition of **LUCIOUS WILSON** for a hearing on his **performance evaluation** in the position of Training Coordinator, Mental Health, Department of Mental Health, **Case No. 12-164.***
HEARING DENIED. (NO ONE APPEARED FOR THE PETITIONER).

Miscellaneous

10. Opportunity for members of the public to address the Commission on items of interest that are within the subject matter jurisdiction of the Commission.
KEVIN KAY, PROBATION DEPARTMENT, INTRODUCED NEW CIVIL SERVICE ADVOCATE SHANNON WILCHER.

ADJOURNED TO CLOSED SESSION AT 10:09 A.M.

CLOSED SESSION

Consideration of confidential peace officer appeals pursuant to Copley Press.

Unfinished Business

11. *Petitioner's request for a hearing on his **discharge**, effective January 14, 2011, from the position of Detention Services Officer, Probation Department, **Case No. 11-029**.*
OVERRULED THE PETITIONER'S AND THE DEPARTMENT'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, WALTER DAUGHERTY, TO REDUCE THE DISCHARGE TO A THIRTY (30) DAY SUSPENSION WITH FULL BACK PAY LESS THE PERIOD OF THE THIRTY (30) DAY SUSPENSION COMMENCING JANUARY 14, 2011, AND TO AWARD ADDITIONAL BACK PAY FOR THE PERIOD OF JANUARY 14 TO FEBRUARY 3, 2011 DUE TO THE DEPARTMENT'S SKELLY VIOLATION. THE DEPARTMENT DID NOT PROVE ALL THE ALLEGATIONS TO BE TRUE AND DID NOT BEAR ITS BURDEN OF PROVING THAT DISCHARGE WAS APPROPRIATE.

12. *Petitioner's request for a hearing on his fifteen (15) day **suspension**, effective June 27, 2011, from the position of Senior Detention Services Officer, Probation Department, **Case No. 11-231**.*
OVERRULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, IRENE AYALA, TO SUSTAIN THE DEPARTMENT.

13. *Petitioner's request for a hearing on his **discharge**, effective May 16, 2011, from the position of Group Supervisor Nights, Probation Department, **Case No. 11-192**.*
OVERRULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION THE FINDINGS OF THE HEARING OFFICER, SAMUEL REYES, BUT REJECTED THE RECOMMENDATION. STRUCK CONCLUSION OF LAW 2, REPLACING IT WITH THE FOLLOWING: "GIVEN THE PETITIONER'S HISTORY OF PRIOR DISCIPLINE, INCLUDING A THIRTY (30) DAY SUSPENSION, DISCHARGE IS APPROPRIATE." THE DEPARTMENT IS SUSTAINED IN THE DISCHARGE. COMMISSIONERS FELTON AND MARTINEZ DISSENTED.

CLOSED SESSION (continued)

Unfinished Business (continued)

14. *Petitioner's request for a hearing on his **discharge**, effective June 4, 2010, from the position of Senior Detention Services Officer, Probation Department, **Case No. 10-220**.*
AFTER READING THE RECORD, THE COMMISSION OVERRULED THE DEPARTMENT'S OBJECTIONS AND ADOPTED AS ITS FINAL DECISION THE FINDINGS OF THE HEARING OFFICER, HERBERT STEINBERG, BUT DELETED THE WORD "NOT" FROM FINDING OF FACT 10 AND MODIFIED THE RECOMMENDATION. THE DISCHARGE IS REDUCED TO A THIRTY (30) DAY SUSPENSION. COMMISSIONERS ADKINS AND KAHWAJIAN DISSENTED.

New Business

15. *Petitioner's request for a hearing on his fifteen (15) day **suspension**, effective May 25, 2012, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 12-168**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

ADJOURNED CLOSED SESSION AND RECONVENED THE MEETING AT 10:57 A.M.

READ INTO THE RECORD AN ACCOUNTING OF ACTIONS TAKEN DURING CLOSED SESSION.

ADJOURNED THE MEETING AT 10:58 A.M.

Legal Advisor:
Lester J. Tolnai

Head Civil Service Commission:
Steve Cheng

Head Commission Specialist:
Steve Erickson

APPROVED BY THE CIVIL SERVICE
COMMISSION ON AUGUST 1, 2012

A handwritten signature in cursive script that reads "Lawrence D. Crocker".

Lawrence D. Crocker
Executive Director